United Nations ST/AI/2010/1

Secretariat

14 January 2010

Administrative instruction

Reporting, retaining and disposing of honours, decorations, favours, gifts or remuneration from governmental and non-governmental sources

The Under-Secretary-General for Management, pursuant to section 4.2 of Secretary-General's bulletin ST/SGB/2009/4, and for the purpose of implementing the prohibition in staff regulation 1.2 and staff rule 1.2 against the receipt by staff of honours, decorations, favours, gifts or remuneration from governmental and non-governmental sources, promulgates the following:

Section 1
Scope and purpose

1.1 Staff regulation 1.2, under its subsections (j), (k) and (l), sets out the prohibition against staff receiving any honour, decoration, favour, gift or remuneration from governmental and non-governmental sources. Subsections (j) and (k) of staff regulation 1.2 deal with the prohibition on acceptance from governmental sources, and subsection (l) deals with the necessity of prior approval by the Secretary-General for acceptance from non-governmental sources. Staff rule 1.2, subsections (k), (l), (m), (n) and (o), covers these same matters. The text of the relevant section of staff regulation 1.2 reads as follows:

> "**Honours, gifts or remuneration**
>
> (j) No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government;
>
> (k) If refusal of an unanticipated honour, decoration, favour or gift from a Government would cause embarrassment to the Organization, the staff member may receive it on behalf of the Organization and then report and entrust it to the Secretary-General, who will either retain it for the Organization or arrange for its disposal for the benefit of the Organization or for a charitable purpose;
>
> (l) No staff member shall accept any honour, decoration, favour, gift or remuneration from any non-governmental source without first obtaining the approval of the Secretary-General."

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1.2 The intended purpose of the staff regulations and rules dealing with honours, decorations, favours, gifts or remuneration from governmental and non-governmental sources is to ensure the independence and impartiality of staff members. The only latitude that is allowed is when prior approval of the Secretary-General is obtained to accept an honour, decoration, favour, gift or remuneration from a non-governmental source. The procedure for obtaining the Secretary-General's prior approval is detailed in section 5 below.

1.3 The operational procedures for implementing this prohibition in a manner that is true to the intent and spirit of the regulations, while recognizing the practical realities of situations that actually occur, have been found to require a more detailed explanation than has existed up to now. The main purpose of the present administrative instruction, therefore, is to describe a set of procedures that emphasizes to staff their obligations and simultaneously provides guidance to officials responsible for the management of this matter.

1.4 The present policy and procedures relate to honours, decorations, favours, gifts or remuneration that are offered or presented by either governmental or non-governmental sources in the course of staff members' official duties or in relation to staff members' status as international civil servants. In the event of doubt as to the applicability of this policy in a given situation, staff members are expected to seek guidance from the United Nations Ethics Office.

1.5 Staff members carrying out functions in sensitive areas such as procurement and investment management shall be subject to higher standards as considered necessary in relation to the discharge of their duties and responsibilities, as defined in appropriate guidelines issued by the Organization.

Section 2
Definitions

2.1 For the purposes of this instruction, the following definitions shall apply:

(a) *Governmental source means*:

(i) Any unit of governmental authority, including any national, state, local and municipal government;

(ii) Any intergovernmental organization; or

(iii) Any agent or representative of a governmental authority or intergovernmental organization.

(b) *Non-governmental source means*: any non-governmental organization, academic institution or any private source. Educational institutions will be considered as a non-governmental source.

(c) *Honour means*: an award or recognition, tangible or intangible, given by a governmental or non-governmental source. Such honours may include, inter alia, medals, awards, plaques, certificates or scrolls.

(d) *Decoration means*: an object that is awarded by a governmental or non-governmental source to honour the recipient in a very visible manner. Such decorations may include, inter alia, a medal, pin or ribbon.

(e) *Favour means*: a special privilege or treatment granted to a staff member by a governmental or non-governmental source.

(f) *Gift means*: any item that has a physical form, offered to a staff member. The term includes minor gifts of essentially nominal value, but does not include:

(i) Participation in official functions (such as meals and diplomatic receptions) for which staff members are invited as part of their official functions (see staff rule 1.2 (n)). Staff members are expected to exercise judgement and to refrain from accepting invitations that are or could be perceived as inconsistent with the obligations and behaviour of United Nations staff members;

(ii) Participation in activities organized by governmental or non-governmental sources that has been authorized by the Secretary-General in which the organizing entity covers the accommodation, travel and subsistence allowance in line with that payable by the United Nations (see staff rule 1.2 (u)).

(g) *Minor gift of essentially nominal value means*: representational or courtesy gifts of limited value that might be given to a staff member by a governmental or non-governmental source as an expression of courtesy.

(h) *Remuneration means*: any monetary compensation not associated with approved outside occupation or employment established in section 3 of administrative instruction ST/AI/2000/13.

(i) *Administering official means*: Executive Officer or his/her equivalent in other duty stations (e.g., Chief or Director of Administration for offices away from headquarters, and Chief or Director of Mission Support for peacekeeping missions and other peace operations) or another staff member designated by a head of office to carry out the functions of an administering official.

(j) *Property management official means*: the Under-Secretary-General for Management, who is responsible for performing property management functions pursuant to financial rule 105.20 or his/her designate.

Section 3
Obligations of staff members

3.1 When a situation presents itself in which an honour, decoration, favour, gift or remuneration is offered or presented to a staff member from a governmental or non-governmental source, the appropriate response is for the staff member to decline with an explanation that it is a requirement in accordance with the staff member's duties and obligations as an international civil servant.

3.2 There may be other situations where the honour, decoration, favour or gift has already been delivered or where the refusal of an unanticipated honour, decoration, favour or gift from a governmental or non-governmental source would cause embarrassment to the Organization. In such cases, if the return of the honour, decoration, favour or gift would cause embarrassment to the Organization, a staff member may accept it, on behalf of the Organization, and shall promptly report and entrust the item, irrespective of its value, to the administering official.

3.3 Staff members may not accept any honours, decorations, favours, gifts or remuneration from a governmental source or from any individual or entity doing business with, or seeking to do business with, the Organization. However, in exceptional cases United Nations staff members may request the prior approval of the Secretary-General for accepting honours, decorations, favours, gifts or remuneration from a non-governmental source, as provided for in staff regulation 1.2.

3.4 Staff members may accept on behalf of the Organization, without prior approval from the Secretary-General, minor gifts of essentially nominal value from a governmental or non-governmental source. In such instance, the requirement to report and entrust the gift, as set out in section 3.2 above, shall apply, as well as the procedure for recording, retention and disposal, as set out in section 4 below.

Section 4
Procedure for recording, retaining and disposing of minor gifts and anticipated honours, decorations, favours, gifts and remuneration presented by governmental and non-governmental sources

4.1 In accordance with the provisions of this administrative instruction, the administering official shall establish and maintain a registry to record summary information on all honours, decorations, favours, gifts or remuneration that have been accepted by staff members in accordance with sections 3.2 or 3.4. This register shall contain the name and functional title of the recipient; a description of the event that led to the honour, decoration, favour or gift that was presented; the name of the governmental or non-governmental source; whether there is any relationship — official or otherwise — between the staff member and the governmental or non-governmental source; the date of receipt; and the action taken for disposition as described in section 4.2 below. This register shall be provided upon request to the Under-Secretary-General for Management or to the Director of the Ethics Office.

4.2 Once the item has been recorded in the registry, and bearing in mind that any honour, decoration, favour or gift must not be incompatible with the interests of the Organization or give rise to an actual or apparent conflict of interest for the staff member or the office concerned, the item will be disposed of or retained, in consultation with the administering official, as detailed below:

(a) Any honour, decoration, favour or gift from any individual or entity doing business with or seeking to do business with the Organization shall be promptly declined and returned;

(b) Minor gifts of essentially nominal value may be retained by the recipient. Those that are retained by the Organization will be dealt with in accordance with section 4.3 below;

(c) Any remuneration or the monetary portion of any honour, decoration, favour or gift that is presented by a non-governmental source as a consequence of performing United Nations duties and responsibilities should be either declined or deposited to the Organization's bank account in consultation with the Office of the Controller;

(d) All other honours, decorations, favours or gifts shall be retained by the Organization.

4.3 For those items retained by the Organization, the property management official, on behalf of the Under-Secretary-General for Management, may allow the honour, decoration or gift to be displayed or exhibited for educational, informational or decorative purposes in any premises of the United Nations Organization. In all other instances, the property management official shall dispose of the items, whether individually or combined, by one of the means specified in financial rule 105.22. It will be the responsibility of the property management official to organize the donation, sale or discarding of these items. For the purposes of disposal, the honours, decorations and gifts that are the subject of this paragraph are not to be considered surplus as a consequence of loss, damage or other discrepancies, and therefore the advice of the Property Survey Board is not required. However, the property management official may seek the advice of the Property Survey Board, as necessary. In the event of sale, the net proceeds, after recovery of administrative costs, shall be donated to the United Nations Nobel Peace Prize Memorial Fund, established pursuant to Secretary-General's bulletin ST/SGB/2003/11.

Section 5

Procedure for obtaining the Secretary-General's approval to receive an honour, decoration, favour, gift or remuneration from a non-governmental source

5.1 When a staff member becomes aware that he/she is being offered (i.e., considered, nominated or selected) to receive an honour, decoration, favour, gift or remuneration from a non-governmental source, the staff member shall notify in writing the administering official of the name and functional title of the intended recipient; the circumstances of the proposed offer; the nature of the honour, decoration, favour, gift or remuneration; the name and role of the source; and, if possible, the estimated value. Pursuant to staff regulation 1.2 (j) and staff rule 1.2 (o), honours, decorations, favours, gifts or remuneration that are offered from a governmental source or an individual or entity doing business with or seeking to do business with the United Nations must be promptly declined.

5.2 The administering official shall communicate this information to the Assistant Secretary-General for Human Resources Management, who may approve, on behalf of the Secretary-General, the acceptance of the honour, decoration, favour, gift or remuneration from a non-governmental source. The approval or non-approval shall then be communicated back to the administering official, who shall in turn inform the staff member concerned. The Assistant Secretary-General for Human Resources Management may consult with the Ethics Office, as needed.

5.3 It is only in exceptional cases that the Assistant Secretary-General for Human Resources Management will grant approval, on behalf of the Secretary-General, for the staff member to receive and retain an honour, decoration, favour, gift or remuneration from a non-governmental source, provided that:

(a) It is not incompatible with the interests of the United Nations;

(b) It is not incompatible with the staff member's status as an international civil servant;

(c) Any remuneration or the monetary portion of any honour, decoration, favour or gift that is presented by a non-governmental source as a consequence of performing United Nations duties and responsibilities should be either declined or

deposited to the Organization's bank account in consultation with the Office of the Controller.

5.4 In cases where possible conflicts of interest might arise, the Ethics Office shall be consulted.

5.5 In the event that approval is not granted, the staff member shall decline the honour, decoration, favour, gift or remuneration.

Section 6
Final provisions

6.1 Information circular ST/IC/2006/31 of 16 August 2006, entitled "Honours, gifts or remuneration from outside sources", is hereby abolished.

6.2 The present instruction shall enter into force on the date of its issuance.

(*Signed*) Angela **Kane**
Under-Secretary-General for Management